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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/730,326  | 12/04/2000  | Daniel Schreiber     | P-9047-US3          | 8195             |
| 7590  | 03/07/2006  |                      | EXAMINER            |                  |
| Eitan Law Group<br>c/o Landon IP, Inc.<br>Suite 450<br>1700 Diagonal Road<br>Alexandria, VA 22314 |             |                      | DADA, BEEMNET W     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2135                |                  |
| DATE MAILED: 03/07/2006   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/730,326

Applicant(s)

SCHREIBER ET AL.

Examiner

Beemnet W. Dada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 12, 2005 has been entered. Claims 1, 2, 4-7, 11-13, 15, 16, 25 and 26 have been amended. Claims 1-26 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed December 12, 2005 have been fully considered but they are not persuasive. Applicant argued that Erickson (US 5,765,152) operates on individual documents, and does not include selection of a list of files for setting protection status. Applicant further argued that Erickson does not describe sending and receiving a site map of folders and files within a computer file system from a server computer to a remote management computer. Examiner disagrees.

3. Examiner would point out that, In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case Glogau (WO 98/25373) teaches generating protection status information in response to selection by a user of a plurality of files in a site map [page 6 lines 4-14 and page 18, lines 15-24] and sending the protection status information to a server computer [page 18, lines 15-24 and page 23, lines 5-22]. Examiner would further point out that, Erickson teaches an administrative computer for retrieving a site map of folders and files within a server computer file

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system (note that the document 204 contains plurality of files, documents 204a-d and user can access any of the documents, col. 26, lines 5-14), the administration computer being remote from the server computer and communicatively coupled therewith (i.e., registration and authorization server 202, library 206 and author & user computers 210, 220 of figure 9 and column 25, lines 29-57 and column 26, lines 19-42). Examiner asserts that the art on record teaches the claimed limitations and therefore the rejection is respectfully maintained.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1-6 and 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glogau WO 98/25373 in view of Erickson US Patent 5,765,152.

6. As per claims 1, 4 and 25-26, Glogau teaches a method for protecting files distributed over a network, comprising:

displaying a site map of folders and files (i.e., displaying a listing of selection of a website) in a server computer file system [page 6, lines 1-6, and page 18, lines 10-24];

generating protection status information in response to selection by a user of a plurality of files in the site map, the protection status information designating a plurality of files selected by the user as being protected files [page 6 lines 4-14 and page 18, lines 15-24]; and

sending the protection status information to a server computer [page 18, lines 15-24 and page 23, lines 5-22];

downloading at least one file from the server computer to a client computer [page 7, lines 11-17 and page 19, lines 3-20]; and

copy-protecting the at least one file by copy-protection software running on the client computer (see for example page 9, lines 18-22), if the at least one file is designated by the protection status information as being protected [page 19, line 22 – page 20 line 22]. Glogau further teaches that the invention may be implemented by a client computer system in combination of a web site computer system owner or any quantity of server or host computer systems [see page 33, lines 5-20]. Glogau does not explicitly teach an administrative computer for retrieving a site map of folders and files within a server computer file system, the administration computer being remote from the server computer and communicatively coupled therewith. However, within the same field of endeavor Erickson teaches a system and method for managing copyrighted electronic media [see abstract], including an administrative computer for retrieving a site map of folders and files within a server computer file system, the administration computer being remote from the server computer and communicatively coupled therewith (i.e., registration and authorization server 202, library 206 and author & user computers 210, 220 of figure 9 and column 25, lines 29-57 and column 26, lines 19-42). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Erickson within the system of Glogau in order to allow remote administration of copy protection system thereby enhancing the security of the system.

7. As per claims 2 and 5, Glogau further teaches the method wherein aid displaying displays the site map together with a corresponding protection status for each file in the site map, and wherein the method further comprises the step of modifying protection status of a

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plurality of files, and wherein said sending sends modified protection status information to the server computer [page 6 lines 4-14 and page 18, lines 15-24].

8. As per claims 3 and 6, Glogau further teaches the method further comprising recording the protection status information in a protection status database [page 23, lines 16-23].

9. As per claims 17- 20, Glogau further teaches the system wherein the copy-protection module residing on the client computer blocks the ability to capture data of a file being displayed on a computer screen, wherein the file being displayed is an image file [page 24, lines 3-14].

10. As per claims 21-24, Glogau further teaches the method wherein, generating generates protection status information designating all images within a folder / web page as being protected, in response to selection by the user of the folder / web page [page 23, lines 5-15].

11. Claims 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glogau WO 98/25373 in view of Granger et al. US Patent 6,480,959 B1 (hereinafter Granger) and further in view of Erickson US Patent 5,765,152.

12. As per claims 7, 11, 15, 16 Glogau teaches a method for protecting files distributed over a network, Comprising:

displaying a site map of folders and files (i.e., displaying a listing of selection of a website) in a server computer file system [page 6, lines 1-6, and page 18, lines 10-24] ;

generating protection status information in response to selection by a user of a plurality of files in the site map, the protection status information designating a plurality of files selected by the user as being protected files [page 6 lines 4-14 and page 18, lines 15-24]; and

sending the protection status information to a server computer [page 18, lines 15-24 and page 23, lines 5-22];

downloading at least one file from the server computer to a client computer [page 7, lines 11-17 and page 19, lines 3-20]. Furthermore, Glogau teaches protecting the at least one file by copy-protection software running on the client computer, if the at least one file is designated by the protection status information as being protected [page 19, line 22 – page 20 line 22 and page 20 lines 2- page21 line 5]. Glogau is silent of encrypting at least one file on the server computer, if the at least one file is designated by the protection status information as being protected.

However, copy protection of information by encryption is well known in the art. For example Granger teaches a method for copy protection of software applications including encrypting files for copy protection [see abstract and column 6, lines 14-44]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the copy protection by encrypting files as taught by Granger within the copy protection method of Glogau thereby enhancing the security of the system from unauthorized use.

Glogau further teaches that the invention may be implemented by a client computer system in combination of a web site computer system owner or any quantity of server or host computer systems [see page 33, lines 5-20]. Glogau does not explicitly teach an administrative computer for retrieving a site map of folders and files within a server computer file system, the administration computer being remote from the server computer and communicatively coupled therewith. However, within the same field of endeavor Erickson teaches a system and method for managing copyrighted electronic media [see abstract], including an administrative computer for retrieving a site map of folders and files within a server computer file system, the administration computer being remote from the server computer and communicatively coupled

therewith (i.e., registration and authorization server 202, library 206 and author & user computers 210, 220 of figure 9 and column 25, lines 29-57 and column 26, lines 19-42]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Erickson within the system of Glogau-Granger in order to allow remote administration of copy protection system thereby enhancing the security of the system.

13. As per claims 8 and 12, Glogau further teaches downloading at least one file from the server computer to a client computer [page 7, lines 11-17 and page 19, lines 3-20]; and copy-protecting the at least one file by copy-protection software running on the client computer, if the at least one file is designated by the protection status information as being protected [page 19, line 22 – page 20 line 22] and Granger teaches an encryption method for copy protection of files see abstract and column 6, lines 14-44].

14. As per claims 9 and 13, Granger further teaches decrypting encrypted files by decoding software running on client computer [column 6, lines 25-35].

15. As per claims 10 and 14, Glogau further teaches the file on the server computer is at least one image file [page 14, lines 18-24].

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

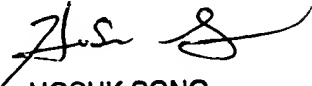
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

February 16, 2006

  
HOSUK SONG  
PRIMARY EXAMINER